

Docket No.  
18810-81652

## Declaration For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHODS OF DIAGNOSING AND TREATING SMALL INTESTINAL BACTERIAL OVERGROWTH  
(SIBO) AND SIBO-RELATED CONDITIONS**

the specification of which

(check one)

is attached hereto.

was filed on April 17, 2001 as United States Application No. or PCT International Application Number 09/837,797

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>PCT/US01/11238</u>	<u>PCT</u>	<u>04/07/01</u>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>
<u>PCT/US00/22168</u>	<u>PCT</u>	<u>08/11/00</u>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>
<u>PCT/US00/22030</u>	<u>PCT</u>	<u>08/11/00</u>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

---

(Application Serial No.)

(Filing Date)

---

(Application Serial No.)

(Filing Date)

---

(Application Serial No.)

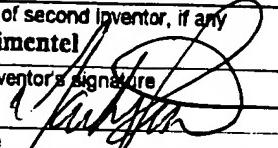
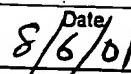
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Continuation-in-part of U.S. Patent Application Serial No. 09/374,142, filed on August 11, 1999, pending  
Continuation-in-part of U.S. Patent Application Serial No. 09/374,143, filed on August 11, 1999; pending  
Also a continuation-in-part of U.S. Patent Application Serial No. 09/548,119, filed on April 10, 2000, pending  
which is a continuation-in-part of U.S. Patent Application Serial No. 09/420,048, filed October 18, 1999, pending  
which is a continuation-in-part of U.S. Patent Application Serial No. 09/359,583, filed on July 22, 1999, abandoned  
which was a continuation of U.S. Patent Application Serial No. 08/832,307, filed on April 3, 1997 and issued as  
U.S. Patent No. 5,977,175 on November 2, 1999  
which was a continuation of U.S. Patent Application Serial 08442,843, filed on May 17, 1995, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <b>Henry C. Lin</b>	Date
Sole or first inventor's signature 	 8/6/01
Residence <b>868 Third Street, Manhattan Beach, CA 90266</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>Same as above</b>	

Full name of second inventor, if any <b>Mark Pimentel</b>	Date
Second inventor's signature 	 8/6/01
Residence <b>467 South Arnaz Drive, Apt. 401, Los Angeles, CA 90048</b>	
Citizenship <b>Canada</b>	
Post Office Address <b>Same as above</b>	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Henry C. Lin and Mark Pimentel

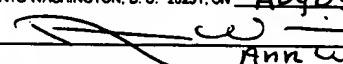
Serial No.: 09/837,797

Filed on: April 17, 2001

Title: METHODS OF DIAGNOSING AND TREATING SMALL INTESTINAL  
BACTERIAL OVERGROWTH (SIBO) AND SIBO-RELATED  
CONDITIONS**POWER OF ATTORNEY****BOX MISSING PARTS**Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir or Madam:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN  
ENVELOPE ADDRESSED TO BOX MISSING PARTS, THE ASSISTANT COMMISSIONER FOR  
PATENTS WASHINGTON, D. C. 20231, ON AUGUST 6, 2001

BY   
Ann Weiss  
AUGUST 6, 2001  
Date of Signature

The undersigned assignee of the entire interest in the above-identified patent application hereby appoints the following attorneys and/or agents, Edward G. Poplawski, Esq., Reg. No. 33,439; Nisan A. Steinberg, Ph.D., Reg. No. 40,345, and Denise L. McKenzie, Esq., Reg. No. 43,790, members of the bar of the State of California, whose address is SIDLEY AUSTIN BROWN & WOOD, 555 West Fifth Street, Los Angeles, California 90013-1010, to prosecute and transact all business in the US Patent and Trademark Office relating to this application,

Please send all future correspondence to:

Edward G. Poplawski, Esq.  
SIDLEY AUSTIN BROWN & WOOD  
555 West Fifth Street  
Los Angeles, CA 90013-1010

and direct all telephone calls to: Nisan A. Steinberg, Ph.D. at 213/896-6665; Fax (213) 896-6600.

Respectfully submitted,

CEDARS-SINAI MEDICAL CENTER



Peter E. Braverman  
Senior Vice President for Legal Affairs and  
General Counsel

Dated: 6/28/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Henry C. Lin and Mark Pimentel

Serial No.: 09/837,797

Filed on: April 17, 2001

Title: METHODS OF DIAGNOSING AND TREATING SMALL INTESTINAL  
BACTERIAL OVERGROWTH (SIBO) AND SIBO-RELATED  
CONDITIONS

CERTIFICATE UNDER 37 C.F.R. 3.73(b) ESTABLISHING RIGHT OF ASSIGNEE TO  
PROSECUTE

## BOX MISSING PARTS

Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir or Madam:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED  
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN  
ENVELOPE ADDRESSED TO BOX MISSING PARTS, THE ASSISTANT COMMISSIONER FOR  
PATENTS WASHINGTON, D. C. 20231, ON AUGUST 6, 2001

BY Peter E. Braverman  
AUGUST 6, 2001  
Date of Signature

## CEDARS-SINAI MEDICAL CENTER

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of chain of title from the inventor, of the patent application identified above, to the current assignee as shown below:

1. From: Henry C. Lin and Mark Pimentel

To: CEDARS-SINAI MEDICAL CENTER

The document is being filed herewith with the Patent and Trademark Office. A copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6/28/01

Name: Peter E. Braverman, Esq.

Title: Senior Vice President of Legal Affairs and Deputy Counsel

Signature: Peter E. Braverman

PATENT  
81476-306897

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Art Unit: 1645  
Henry C. LIN et al. ) Examiner: R. P. Swartz  
Serial No: 09/837,797 )  
Filed: April 17, 2001 )  
For: *METHODS OF DIAGNOSING OR* )  
*TREATING IRRITABLE BOWEL SYNDROME* )  
*AND OTHER DISORDERS CAUSED BY* )  
*SMALL INTESTINAL BACTERIAL* )  
*OVERGROWTH* )  
\_\_\_\_\_  
)

POWER OF ATTORNEY FROM ASSIGNEE  
AND REVOCATION OF PRIOR POWERS

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned Peter E. Braveman, Esq. is a representative authorized to sign on behalf of **CEDARS-SINAI MEDICAL CENTER**, the assignee of the entire interest in the above-identified subject application, and hereby revokes all previous powers and appoints **Pillsbury Winthrop LLP, Intellectual Property Group, 725 South Figueroa Street, Suite 2800, Los Angeles, CA 90017-5406**, telephone (213) 488-7100, and the below named persons (of the same address), individually and collectively, our attorneys to prosecute this patent application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, said appointment to be to the exclusion of the inventor and his attorney in accordance with the provisions of Rule 32 of the Patent Office Rules of Practice:

George M. Sirilla, Reg. No. 18,221, Richard H. Zaitlen, Reg. No. 27,248, James E. Eakin, Reg. No. 27,874, Jonathon E. Jobe, Jr., Reg. No. 28,429, Glenn J. Perry, Reg. No. 28,458, Dale S. Lazar, Reg. No. 28,872, Suzanne L. Biggs, Reg. No. 30,158, Mark G. Paulson, Reg. No. 30,793, Roger R. Wise, Reg. No. 31,204, John R. Wetherell, Jr., Reg. No. 31,678, David H. Jaffer, Reg. No. 32,243, David A. Jakopin, Reg. No. 32,993, Robin L. Teskin, Reg. No. 35,030, Jeffrey D. Karceski, Reg. No. 35,914, Steven J. Moore, Reg. No. 35,959, Paul L. Sharer, Reg. No. 36,004, Jack S. Barufka, Reg. No. 37,087, Brian J Beatus, Reg. No. 38,825, William P. Atkins, Reg. No. 38,821, Thomas P. Hillard, Reg. No. 40,330, Robert J. Walters, Reg. No. 40,862, Adam R. Hess, Reg.

No. 41,835, Henry J. Daley, Reg. No. 42,459, Evan Finkel, Reg. No. 49,059, Seth D. Levy, Reg. No. 44,869, Keyvan Davoudian, Reg. No. 47,520, Mark R. Kendrick, Reg. No. 48,468, James M. Wakely, Reg. No. 48,597, Nicole S. Bradley, Reg. No. 48,718, Caroline L. Keller, Reg. No. 50,491, and Jennifer J. Riel, Reg. No. 53,517.

**CEDARS-SINAI MEDICAL CENTER**, per 37 C.F.R. § 3.73(b), certifies that the evidentiary documents with respect to its ownership have been reviewed and that to the best of the undersigned's knowledge and belief, title is in the assignee seeking this action.

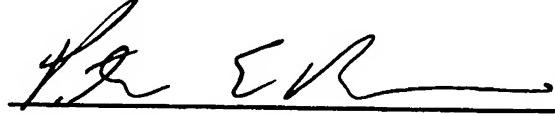
**CEDARS-SINAI MEDICAL CENTER**, declares that 100% ownership is established by the assignment filed for recordation.

Please direct all telephone calls to **Richard H. Zaitlen** at (213) 488-7100 and all correspondence relative to said application to the following address:

Richard H. Zaitlen, Esq.  
PILLSBURY WINTHROP LLP  
725 South Figueroa Street  
Suite 2800  
Los Angeles, CA 90017-5406

**ASSIGNEE: CEDARS-SINAI MEDICAL CENTER**

Date: 12/3/03

Signature: 

Title: Senior Vice-President for Legal Affairs  
and General Counsel

Address: 8700 Beverly Boulevard  
Los Angeles, CA 90048-1865